



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

DMP:SKW/EHS
F. #2022R00326

*271 Cadman Plaza East
Brooklyn, New York 11201*

July 24, 2023

By E-Mail and ECF

The Honorable William F. Kuntz, II
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Frank James
Criminal Docket No. 22-214 (WFK)

Dear Judge Kuntz:

The government writes to respectfully request a sentencing date in the above-captioned matter.

As the Court is aware, on June 29, 2023, the U.S. Probation Department issued its Presentence Investigation Report ("PSR"). Consistent with Rule 32(f) of the Federal Rules of Criminal Procedure, which provides that objections must be filed within 14 days of the release of the PSR, the government informed Probation by letter on July 5, 2023, that the government had no objections to the PSR at this time. See ECF No. 77. As of the date of this letter, that 14-day period has elapsed without any objections being filed on behalf of the defendant.

Accordingly, the government respectfully requests the Court set a sentencing date of late September or early October 2023, or another date convenient for the Court, for the sentencing of the defendant. The government requests that the sentencing date be scheduled at this time in part so that the government may notify the victims and give the victims sufficient time to determine whether to attend and speak at sentencing, as they are entitled to do under the Crime Victims' Rights Act, Title 18, United States Code, Section 3771. The government intends to notify the Court and the defendant in advance of sentencing whether any victim requests to be heard at the sentencing hearing.

The government is available to answer any additional questions the Court may have.

Respectfully submitted,

BREON PEACE
United States Attorney
Eastern District of New York

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cc: Defense counsel (by e-mail)
Clerk of Court (WFK) (by ECF)